REMARKS

[0003]   Herein the terms "Office Action" and "Action" refer to the Final Office Action dated 01/02/2008.

[0004]   Applicant respectfully requests entry of the following remarks and reconsideration of the subject application. Applicant respectfully requests entry of the amendments herein. The remarks and amendments should be entered under 37 C.F.R. §1.116 as they place the application in better form for appeal, or for resolution on the merits.

[0005]   Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1, 3-4, 6-14, 16, 18-24, 26-33, 35-36, and 38-39 are presently pending. Claims amended herein are: 1, 3-4, 7, 9-14, 16, 18-19, 22, 26, 28-29, 32-33, 35-36, and 38. Claims 2, 5, 15, 17, 25, 34, 37, and 40 are cancelled herein. No new claims are added herein.

Statement of Substance of Interview

[0006]   The Examiner graciously talked with me—the undersigned representative for the Applicant—on Monday, May 12, 2008. Applicant greatly appreciates the Examiner's willingness to talk. Such willingness is invaluable to both of us in our common goal of an expedited prosecution of this patent application.

[0007]   During the interview, we discussed how the claims, if amended, would differ from the cited art, namely the Tracing Overview publication and Schaefer.

Without conceding the propriety of the rejections and in the interest of expediting prosecution, I proposed several possible clarifying amendments.

[0008]   The Examiner was receptive to the proposals. However, the Examiner indicated that he would need to review the cited art more carefully and likely do another search, and requested that the proposed amendments be presented in writing.

[0009]   Applicant herein amends the claims as discussed during the interview and according to some additional clarifications as supported by the specification. Accordingly, Applicant submits that the pending claims are allowable over the cited art of record for at least the reasons discussed during the interview.

Formal Request for an Interview

[0010]   If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0011]   Please contact me or my assistant to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for us, I welcome your call to either of us as well. Our contact information may be found on the last page of this response.

Serial No.: 10/798,819
Atty Docket No.: MS1-1906US   -19-   lee&hayes   The Business of IP ™
Atty/Agent: John C. Meline   www.leehayes.com   509 324 9256

Claim Amendments

[0012]   Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1, 3-4, 7, 9-14, 16, 18-19, 22, 26, 28-29, 32-33, 35-36, and 38 herein.

Substantive Matters

Claim Rejections under § 103

[0013]   The Examiner rejects claims 1, 3-14, 16 and 18-39 under § 103. For the reasons set forth below, the Examiner has not made a prima facie case showing that the rejected claims are obvious.   Accordingly, the Applicant respectfully requests that the § 103 rejections be withdrawn and the case be passed along to issuance.

[0014]   The Examiner's rejections are based upon the following references alone or in combination:

- **Microsoft:** *Microsoft, Tracing Overview, pages 1-8* (2002);
- **Schaefer:** *Schaefer, et al.,* US Patent No. 6157297 (issued December 5, 2000); and
- **"Log Explorer Walkthrough":** *"Log Explorer Walkthrough", pages 1-20* (2002).

Overview of the Application

[0015] The Application describes a method of tracing data on a network for a Web request that detects events of the Web request as the Web request is serviced. The method provides a unique identifier (GUID) for the Web request. The GUID is associated with all events for the Web request in a trace log. When such events occur in the servicing of the Web request, each event is recorded with the GUID of the Web request in a trace log. The trace log can be accessed via the GUID to debug a Web request service failure. (Application, Abstract)

Cited References

[0016] The Examiner cites the Tracing Overview as the primary reference in the obviousness-based rejections. The Examiner cites Schaefer and "Log Explorer Walkthrough" as secondary references in the obviousness-based rejections.

Tracing Overview

[0017] A Tracing Overview published by Microsoft in 2002 describes an ASP.NET runtime that collects debug tracing for applications and individual web pages. It also collects statistics and other information. A configuration file allows the collection to be adjusted.

Schaefer

[0018] Schaefer describes a resource manager and a connection manager. In other words, Schaefer describes an interconnect for enabling a component in a transaction processing environment to request, as part of a global transaction under the control of a transaction manager that is not XATMI-compliant, a resource on a remote server outside of that environment that is under the control of an XATMI-compliant transaction manager. The resource manager has a first interface that receives XATMI service requests from the component and a second interface that receives directives issued by the first transaction manager for the global transaction. The resource manager further comprises (i) means for mapping a first identifier that identifies the global transaction within the transaction processing environment of the first transaction manger to a second identifier that uniquely identifies the transaction within the protocol machine, (ii) means for maintaining a record for each branch of the transaction in which information relating thereto is stored, and (iii) means for logging together, in a secure storage, recovery information for both the transaction processing environment of the first transaction manager and the protocol machine. (Schaefer, Abstract)

Log Explorer

[0019] "Log Explorer Walkthrough" is an article published by Lumigent (a software company) in 2002. The article describes Log Explorer, a software available through Lumigent. Log Explorer is a transaction analysis and data recovery software. Log Explorer provides access to a database transaction log

Serial No.: 10/798,819
Atty Docket No.: MS1-1906US
Atty/Agent: John C. Meline
-22-
lee&hayes The Business of IP™
www.leehayes.com   509 324 9256

and thereby an ability to understand and resolve elusive database problems. One can easily identify the source of data changes, selectively recover modified, deleted, dropped, or truncated data, and export data for follow-up analysis and reporting.

Obviousness Rejections

Lack of *Prima Facie* Case of Obviousness (MPEP § 2142)

[0020]   Applicant disagrees with the Examiner's obviousness rejections. Arguments presented herein point to various aspects of the record to demonstrate that all of the criteria set forth for making a prima facie case have not been met.

Based upon Tracing Overview, Schaefer, and Log Explorer

[0021]   The Examiner rejects claims 1, 3-14, 16 and 18-39 under 35 U.S.C. § 103(a) as being unpatentable over the Tracing Overview in view of Schaefer and Log Explorer. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

Independent Claim 1

[0022] Applicant submits that these references do not anticipate claim 1, as amended, because they do not show, disclose, teach or suggest at least the following elements as recited in this claim as amended (with emphasis added):

- "logging by the server a server entry having a **server event GUID** in a server trace log in response to the detecting of the occurrence of the event in the servicing of the Web request, wherein the **server entry comprises** . . . an **event GUID** corresponding to the event . . .
- "logging by the Web application an **application entry** having an **application GUID** in an **application trace log**, wherein **each application entry is correlated with each server entry in the server trace log**; and
- "determining which of the information that is descriptive of the occurrence of the event to put into the **server entry and/or application entry**, as appropriate, as a function of a predetermined **level of verbosity selected from a plurality of levels of verbosity**."

[0023] The Examiner indicates (Action, pp. 5-7) the following with regard to this claim:

determining which of the information that is descriptive of the occurrence of the event to put into the entry as a function of a predetermined level of verbosity"

[Microsoft, pgs. 1-8].

[0024] It is noted that the Examiner has not pointed out a specific passage of this reference (Tracing Overview) so as to enable the Applicant's representative to identify elements of the reference which correspond to the elements or features recited in this claim. The MPEP, at § 706 with reference 37 CFR 1.04(c)(2) requires the following of the Examiner in regard to claim rejection:

"In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified."

[0025]   If the claims, as amended, are not allowed by the Examiner, the Applicant respectfully asks the Examiner to issue a subsequent non-final rejection and point out with increased specificity and detail so as to allow the Applicant's representative to more fully present argument and evidence that the recited claims are indeed patentably allowable over the references cited.

[0026]   Turning to the substance of the rejection of this claim, although not expressly stated, the Examiner seems to equate page-level tracing and application-level tracing (being two separate "levels") of the Tracing Overview with a "predetermined level of verbosity" as recited in claim 1.

[0027]   Claim 1 has been amended to clarify that the "predetermined level of verbosity" is "selected from a plurality of levels of verbosity." The Applicant submits that page-level and application-level tracing are not equivalent to "levels of verbosity." For the Tracing Overview to anticipate claim 1, the Tracing Overview would have to disclose, teach or suggest a plurality of levels of logging. After a review of this reference, there is no such teaching. As such, the Tracing Overview is insufficient to anticipate at least this element or feature of claim 1.

[0028]   Since the Examiner does not cite to any other passage in the other two references, it appears that the Examiner is relying solely on the Tracing

Overview for a "plurality of levels" of verbosity. Accordingly, the Applicant asserts that claim 1 is allowable over the cited references at least on the basis that these references, either alone or in combination, do not disclose, teach or suggest this element or feature.

[0029]   Further, claim 1 has been amended to recite both an "application" trace entry and a "server" trace entry in an application trace log and a server trace log, respectively. The references are silent as to having a separate trace log for an application and a server. Based on this additional element or feature, claim 1 is allowable over the combination of the references cited by the Examiner.

[0030]   As shown above, the combination of the three references does not disclose all of the claimed elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this independent claim.

Dependent Claims 3-14

[0031]   These claims ultimately depend upon independent claim 1. As discussed above, claim 1 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

[0032]   For example, claim 7 recites that the "Web application interfaces with at least one said API (of the operating system)" to log a Web application event. The Examiner cites to pages 1-8 of the Tracing Overview. However, after a thorough review of the reference, there is no disclosure of an API. The Tracing

Serial No.: 10/798,819
Atty Docket No.: MS1-1906US   -26-   lee&hayes   The Business of IP™
Atty/Agent: John C. Meline   www.leehayes.com 509 324 9256

Overview describes the use of a configuration file (e.g. web.config) and script entries in each page (e.g. Trace.Write statement on bottom of p. 2). However, within the meaning of API as commonly understood by one of ordinary skill in the computer programming art, there is no disclosure of an API in the Tracing Overview. Since the Examiner does not cite to and does not rely on the other references for this element or feature of claim 7, the Examiner is tacitly admitting that the other references do not disclose, teach or suggest the use of an API in detecting and logging of events as recited in this claim. For this addition reason or basis, claim 7 is allowable over the references cited by the Examiner. The Applicant respectfully asks the Examiner to withdraw the rejection of this claim.

[0033]   In short, the Applicant respectfully asks the Examiner to withdraw the rejection of claims 3-14 when the rejection of claim 1 is withdrawn.

Independent Claim 16

[0034]   Applicant submits that the references cited by the Examiner do not anticipate claim 16, as amended, because they do not show, disclose, teach or suggest at least the following elements as recited in this claim as amended (with emphasis added):

- "servicing . . . [a] Web request with a server from a Web application that is executing on the server, wherein during the servicing **multiple logger streams are simultaneously active** to log the events as the Web request is being serviced by the server . . .
- "by the server each of the events as **server entries** in a **server trace log** . . .

- "logging by the Web application an **application entry** having an **application GUID** in an **application trace log**, wherein **each application entry is correlated with each server entry** in the server trace log; and
- "determining which of the descriptive information to put into the server entry and/or application entry, as appropriate, as a **function of a predetermined level of verbosity** selected from a **plurality of levels of verbosity**."

[0035]   The Examiner indicates (Action, p. 12) the following with regard to this claim:

> ·   ·   Additionally, Claims 16 has another limitation not found in Claim 1 but is also taught by the references: "…with a server from a Web application that is executing on the server, wherein during the servicing multiple logger streams are simultaneously active to log the events as the Web request is being serviced by the server" [Microsoft, pgs. 1-8, specifically, pgs. 5-6 with LogExplorer, p. 3].

[0036]   The relevant portion of page 5 of the Tracing Overview states that by "default, trace information will be collected for up to 10 [Web] requests." The Examiner seems to be equating a number of requests as found in the Tracing Overview with "multiple logger streams are simultaneously active to log the events as the Web request is being serviced by the server" as recited in claim 16. The Applicant respectfully disagrees.

[0037]   The number of requests traced is not the same as multiple simultaneously acting entities. As can be seen from the Tracing Overview, there is no teaching of "simultaneous" streams, processes or other functional entities within this or any other passage of the Tracing Overview reference.

[0038]   The Examiner also cites to page 3 of the Log Explorer. The entire passage as found on page 3 states:

> "Begin your Log Explorer session by selecting the SQL Server, database and log file. After selecting the server, the following dialog allows you to select the database and log file. Note that you may view the on-line log, select one or more backup log files, or both. If multiple logs are selected, Log Explorer presents a single 'virtual log file' that includes transactions from all of the log files selected."

[0039]   The Examiner seems to equate multiple log files of the Log Explorer reference with "multiple logger streams are simultaneously active to log the events as the Web request is being serviced by the server" as recited in claim 16. The Applicant respectfully disagrees. Multiple files stored on a computer or in a database are not equivalent to "multiple logger streams" such as processes or executable threads operating on a computer. As can be seen, the Log Explorer reference does not disclose, teach or suggest multiple simultaneous streams as recited in claim 16.

[0040]   Thus, for at least the reason that none of the references cited by the Examiner discloses, teaches or suggests "multiple logger streams are simultaneously active to log the events as the Web request is being serviced by the server" as recited in claim 16, this claim is allowable over the cited references.

[0041]   Further, as shown above in reference to claim 1, the Examiner seems to equate page-level tracing and application-level tracing (being two separate "levels") of the Tracing Overview with a "predetermined level of verbosity" as recited in claim 16.

[0042]   Claim 16 has been amended to clarify that the "predetermined level of verbosity" is "selected from a plurality of levels of verbosity." The Applicant submits that page-level and application-level tracing are not equivalent to "levels of verbosity." For the Tracing Overview to anticipate claim 16, the Tracing Overview would have to disclose, teach or suggest a plurality of levels of logging. After a review of this reference, there is no such teaching. As such, the Tracing Overview is insufficient to anticipate at least this element or feature of claim 16.

[0043]   Since the Examiner does not cite to any other passage in the other two references, it appears that the Examiner is relying solely on the Tracing Overview for a "plurality of levels" of verbosity. Accordingly, the Applicant asserts that claim 16 is allowable over the cited references at least on the basis that these references, either alone or in combination, do not disclose, teach or suggest this element or feature.

[0044]   Further, claim 16 has been amended to recite both an "application" trace entry and a "server" trace entry in an application trace log and a server trace log, respectively. The references are silent as to having a separate trace log for an application and a server. Based on this additional element or feature, claim 16 is allowable over the combination of the references cited by the Examiner.

[0045]   As shown above, the combination of the three references does not disclose all of the claimed elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this independent claim.

[0046] These claims ultimately depend upon independent claim 16. As discussed above, claim 16 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

[0047] For example, claim 24 recites that the "Web application interfaces with at least one said API (of the operating system)" to log a Web application event. The Examiner cites to pages 1-8 of the Tracing Overview. However, after a thorough review of the reference, there is no disclosure of an API. The Tracing Overview describes the use of a configuration file (e.g. web.config) and script entries in each page (e.g. Trace.Write statement on bottom of p. 2).

[0048] However, within the meaning of API as commonly understood by one of ordinary skill in the computer programming art, there is no disclosure of an API in the Tracing Overview. Since the Examiner does not cite to and does not rely on the other references for this element or feature of claim 24, the Examiner is tacitly admitting that the other references do not disclose, teach or suggest the use of an API in detecting and logging of events as recited in this claim. For this addition reason or basis, claim 24 is allowable over the references cited by the Examiner. The Applicant respectfully asks the Examiner to withdraw the rejection of this claim.

[0049] In short, the Applicant respectfully asks the Examiner to withdraw the rejection of claims 18-31 when the rejection of claim 16 is withdrawn.

[0050]   Applicant submits that the references cited by the Examiner do not anticipate claim 33, as amended, because they do not show, disclose, teach or suggest at least the following elements as recited in this claim as amended (with emphasis added):

- "A network environment comprising . . . **multiple simultaneously active logger streams** that are concurrently running on the server and that are each trace-enabled, the server servicing Web requests from a Web application while performing Web request-based tracing to **produce traces that comprise a GUID for each Web request** and to flow each GUID from the server across to the Web application, . . . wherein the information in the traces is determined in part as a function of a predetermined level of verbosity, wherein the **level is selected from a plurality of levels of verbosity**, and wherein the Web application can **correlate each event** with a GUID from the server."

[0051]   The Examiner indicates (Action, p. 14) the following with regard to this claim, as amended:

network environment as defined in Claim 33, further comprising multiple simultaneously active logger streams that are concurrently running on the server and that are each trace-enabled" [Microsoft, pgs. 1-8, specifically, pgs. 5-6 with LogExplorer, p. 3].

[0052]   As shown above in relation to claim 16, the relevant portion of page 5 of the Tracing Overview states that by "default, trace information will be collected for up to 10 [Web] requests." The Examiner seems to be equating a number of requests as found in the Tracing Overview with "multiple logger

streams are simultaneously active to log the events as the Web request is being serviced by the server" as recited in claim 33, as amended. The Applicant respectfully disagrees.

[0053]   The number of requests traced is not the same as multiple simultaneously acting entities. As can be seen from the Tracing Overview, there is no teaching of "simultaneous" streams, processes or other functional entities within this or any other passage of the Tracing Overview reference.

[0054]   The Examiner also cites to page 3 of the Log Explorer. The entire passage as found on page 3 states:

> "Begin your Log Explorer session by selecting the SQL Server, database and log file. After selecting the server, the following dialog allows you to select the database and log file. Note that you may view the on-line log, select one or more backup log files, or both. If multiple logs are selected, Log Explorer presents a single 'virtual log file' that includes transactions from all of the log files selected."

[0055]   The Examiner seems to equate multiple log files of the Log Explorer reference with "multiple logger streams are simultaneously active to log the events as the Web request is being serviced by the server" as recited in claim 33, as amended. The Applicant respectfully disagrees. Multiple files stored on a computer or in a database are not equivalent to "multiple logger streams" such as processes or executable threads operating on a computer. As can be seen, the Log Explorer reference does not disclose, teach or suggest multiple simultaneous streams as recited in claim 33.

[0056]   Thus, for at least the reason that none of the references cited by the Examiner discloses, teaches or suggests "multiple logger streams are simultaneously active to log the events as the Web request is being serviced by the server" as recited in claim 33, this claim is allowable over the cited references.

[0057]   Further, as shown above in reference to claim 1, the Examiner seems to equate page-level tracing and application-level tracing (being two separate "levels") of the Tracing Overview with a "predetermined level of verbosity" as recited in claim 33.

[0058]   Claim 33 has been amended to clarify that the "predetermined level of verbosity" is "selected from a plurality of levels of verbosity." The Applicant submits that page-level and application-level tracing are not equivalent to "levels of verbosity." For the Tracing Overview to anticipate claim 33, the Tracing Overview would have to disclose, teach or suggest a plurality of levels of logging. After a review of this reference, there is no such teaching. As such, the Tracing Overview is insufficient to anticipate at least this element or feature of claim 33.

[0059]   Since the Examiner does not cite to any other passage in the other two references, it appears that the Examiner is relying solely on the Tracing Overview for a "plurality of levels" of verbosity. Accordingly, the Applicant asserts that claim 33 is allowable over the cited references at least on the basis that these references, either alone or in combination, do not disclose, teach or suggest this element or feature.

Serial No.: 10/798,819
Atty Docket No.: MS1-1906US   -34-   lee&hayes   The Business of IP ™
Atty/Agent: John C. Meline   www.leehayes.com   509 324 9256

[0060]   As shown above, the combination of the three references does not disclose all of the claimed elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of independent claim 33.

Dependent Claim 35

[0061]   These claims ultimately depend upon independent claim 33. As discussed above, claim 33 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Independent Claim 36

[0062]   Applicant submits that the references cited by the Examiner do not anticipate claim 36, as amended, because they do not show, disclose, teach or suggest at least the following elements as recited in this claim as amended (with emphasis added):

- "logic configured to determine which of the information descriptive of the occurrence of the event to put into the entry as a function of a **predetermined level of verbosity,** wherein the verbosity is determined by selecting one of a **plurality of discrete indices,** the indices corresponding to human-readable labels, wherein the descriptive information of the event comprises an event GUID and human readable text, and wherein **event GUIDs may be correlated with Web request GUIDs.**"

[0063]   The Examiner indicates (Action, p. 15) the following with regard to this claim, as amended:

> Claims 36-39 encompass substantially the same scope of the invention as that of Claims 1-4, respectfully, in addition to a server module and some logic for performing the method steps of Claims 1-4, respectfully. Therefore, Claims 36-39 are rejected for the same reasons as stated above with respect to Claims 1-4, respectfully.

[0064]   Without needlessly repeating the arguments above in relation to claim 1 above, the Examiner seems to equate page-level tracing and application-level tracing (being two separate "levels") of the Tracing Overview with a "predetermined level of verbosity" as recited in claim 36.

[0065]   Claim 36 has been amended to clarify that the "predetermined level of verbosity" is "determined by selecting one of a plurality of discrete indices, the indices corresponding to human-readable labels." The Applicant submits that page-level and application-level tracing are not equivalent to "levels of verbosity."

[0066]   For the Tracing Overview to anticipate claim 33, the Tracing Overview would have to disclose, teach or suggest a plurality of levels of logging. After a review of this reference, there is no such teaching. As such, the Tracing Overview is insufficient to anticipate at least this element or feature of claim 36.

[0067]   Since the Examiner does not cite to any other passage in the other two references, it appears that the Examiner is relying solely on the Tracing Overview for a "plurality of levels" of verbosity. Accordingly, the Applicant asserts that claim 36 is allowable over the cited references at least on the basis that

Serial No.: 10/798,819
Atty Docket No.: MS1-1906US
Atty/Agent: John C. Meline
-36-
lee&hayes   The Business of IP™
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these references, either alone or in combination, do not disclose, teach or suggest this element or feature.

[0068]   In summary, the combination of the three references does not disclose all of the claimed elements and features of claim 36, as amended. Accordingly, Applicant asks the Examiner to withdraw the rejection of independent claim 36.

Dependent Claim 38-39

[0069]   These claims ultimately depend upon independent claim 36. As discussed above, claim 36 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Dependent Claims

[0070]   In addition to its own merits, if not already addressed previously, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant requests that the Examiner withdraw the rejection of each dependent claim where its base claim is allowable.

Serial No.: 10/798,819
Atty Docket No.: MS1-1906US   -37-   lee&hayes   The Business of IP ™
Atty/Agent: John C. Meline   www.leehayes.com   509 324 9256

Conclusion

[0071]   All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action**. Please call/email me or my assistant at your convenience.

Respectfully Submitted,

Lee & Hayes, PLLC

_____   Dated: 2008-06-02

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